

CONLEY ROSE

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Writer's Direct Dial: (972) 731-2270
kharris@dfw.conleyrose.com

December 1, 2005

*Via Facsimile 571-273-6500*United States Patent and Trademark Office
Attn: Refund Branch
PO Box 1450
Alexandria, VA 22313-1450**BEST AVAILABLE COPY**Re: Our File No.: 4044-00200
Application No.: 10/005,808
Deposit Account No.: 501515

Dear Sir:

A recent review of our November statement for Deposit Account No. 501515 shows an entry which we believe is in error.

On November 2, 2005 we filed an amendment charging additional claim fees and a terminal disclaimer totaling \$190.00 via facsimile to the central fax number of 571-273-8300. Unfortunately, when transmitting this facsimile, a few pages became jammed in our facsimile machine, the transmission was then stopped. On the second try, all 36 pages transmitted successfully. We believe that is the reason for the duplicate charge.

We therefore respectfully request a refund of \$190.00. Please credit this to our Deposit Account 501515. If you have any questions regarding this request, please feel free to contact me.

Thank you for your assistance.

Sincerely,
CONLEY ROSE, P.C.
Karen Harris

Legal Assistant to Michael W. Piper

/kh
Enclosure

31536.01/4044.00200



**United States
Patent and
Trademark Office**

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Deposit Account Statement

Requested Statement Month: November 2006
 Deposit Account Number: 501515
 Name: CONLEY ROSE PC
 Attention: CARLA HOGAN
 Address: 5700 GRANITE PARKWAY, SUITE 330
 City: PLANO
 State: TX
 Zip: 75024
 Country: UNITED STATES OF AMERICA

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
11/01	19	11215500	210708US00 (4081-07100)	1051	\$130.00	\$11,47
11/02	1	09954978	4017-03001	2252	\$225.00	\$11,25
11/02	3	10694069	1030-23501	1811	\$100.00	\$11,15
11/02	161	11215500	210708US00 (4081-07100)	8021	\$40.00	\$11,11
11/02	169	10887767	4005-01104	8021	\$40.00	\$11,07
11/02	178	60878123		8021	\$40.00	\$11,03
11/02	182	10957278	4004-07503	8021	\$40.00	\$10,99
11/03	1	10880901	2003-012001 (1391-45200)	1806	\$180.00	\$10,81
11/03	83	10005808	4044.00200	2202	\$125.00	\$10,68
11/03	84	10005808	4044.00200	2814	\$85.00	\$10,62
11/04	34	10005808	4044.00200	2202	\$125.00	\$10,48
11/04	35	10005808	4044.00200	2814	\$85.00	\$10,43
11/04	38	E-REPLENISHMENT		9203	-\$4,000.00	\$14,43
11/04	149	11264900	210791US00(4081-08400)	1011	\$300.00	\$14,13
11/04	150	11264900	210791US00(4081-08400)	1111	\$500.00	\$13,63
11/04	151	11264900	210791US00(4081-08400)	1311	\$200.00	\$13,43
11/07	5	11264892	210691US00 (4081-07000)	1011	\$300.00	\$13,13
11/07	6	11264892	210691US00 (4081-07000)	1111	\$500.00	\$12,63
11/07	7	11264892	210691US00 (4081-07000)	1311	\$200.00	\$12,43
11/07	15	10681020	2001-IP-005305 (1391-4510)	1201	\$1,800.00	\$10,63
11/07	73	10805886	4040-08600	2501	\$700.00	\$9,933
11/07	74	10805886	4040-08800	1504	\$300.00	\$9,633
11/07	1557	78748229	4059-04600	7001	\$325.00	\$9,308
11/07	1959	78748407	4059-05200	7001	\$325.00	\$8,983
11/08	19	11062977	HES 2004-IP-0147700U1	1814	\$130.00	\$8,853
11/08	22	E-REPLENISHMENT		9203	-\$8,000.00	\$14,85
11/08	100	10941406	990021U1D1(1391-20801)	1201	\$200.00	\$14,65

Duplicate Charge

11/08 142 76385398	4030-00500	7004	\$150.00	\$14.50
11/09 3 10681020	2001-IP-005305 (1391-4510	1808	\$180.00	\$14.32
11/09 8 10375183	2002008379U1	1401	\$500.00	\$13.82
11/09 157 11257221	34212US (1856-45700)	1011	\$300.00	\$13.52
11/09 158 11257221	34212US (1856-45700)	1111	\$500.00	\$13.02
11/09 159 11257221	34212US (1856-45700)	1311	\$200.00	\$12.82
11/09 160 11257221	34212US (1856-45700)	1202	\$500.00	\$12.32
11/09 1399 1945793	4119-02500	7205	\$100.00	\$12.22
11/09 1400 1945793	4119-02500	7201	\$400.00	\$11.82
11/14 240 11270968	2005.08.013.NSO (4133-022	1011	\$300.00	\$11.52
11/14 241 11270968	2005.08.013.NSO (4133-022	1111	\$500.00	\$11.02
11/14 242 11270968	2005.08.013.NSO (4133-022	1311	\$200.00	\$10.82
11/14 1533 78752130	4040-10200	7001	\$650.00	\$10.17
11/15 15 10957278	4004-07503	1252	\$450.00	\$9.723
11/16 3 E-REPLENISHMENT		9203	-\$5,000.00	\$14.72
11/16 161 11272314	2005.02.007.WSO (4133-018	1011	\$300.00	\$14.42
11/16 152 11272314	2005.02.007.WSO (4133-018	1111	\$500.00	\$13.92
11/16 153 11272314	2005.02.007.WSO (4133-018	1311	\$200.00	\$13.72
11/16 212 11270966	2006.08.013.NSO (4133-022	8021	\$40.00	\$13.68
11/17 74 3009174	4040-07902	8503	\$15.00	\$13.68
11/18 170 11274435	4162-00600	2011	\$160.00	\$13.51
11/18 171 11274435	4162-00600	2111	\$260.00	\$13.26
11/18 172 11274435	4162-00600	2311	\$100.00	\$13.16
11/18 173 11274435	4162-00600	2201	\$100.00	\$13.06
11/18 174 11274435	4162-00600	2202	\$250.00	\$12.81
11/21 45 11280790	4072-01900	1011	\$300.00	\$12.51
11/21 48 11280790	4072-01900	1111	\$500.00	\$12.01
11/21 47 11280790	4072-01900	1311	\$200.00	\$11.81
11/21 200 11281129	COS-1045 (4176-01100)	1011	\$300.00	\$11.51
11/21 201 11281129	COS-1045 (4176-01100)	1111	\$500.00	\$11.01
11/21 202 11281129	COS-1045 (4176-01100)	1311	\$200.00	\$10.81
11/22 2 E-REPLENISHMENT		9203	-\$5,000.00	\$15.81
11/22 704 78143693	4115-01300	7004	\$150.00	\$15.66
11/22 710 78143696	4115-01200	7004	\$150.00	\$15.51
11/22 717 78147032	4115-01100	7004	\$150.00	\$15.36
11/22 870 1937180	4004-07400	7205	\$100.00	\$15.26
11/22 871 1937180	4004-07400	7201	\$400.00	\$14.86
11/22 1397 78758951	4072-02100	7001	\$1,950.00	\$12.91
11/22 1725 76587037	4059-01900	7004	\$150.00	\$12.76
11/23 45 11281129	COS-1045 (4176-01100)	8021	\$40.00	\$12.72
11/26 100 11175422		8021	\$40.00	\$12.68
11/26 102 11150038		8021	\$40.00	\$12.64
11/25 184 11284536	COS-1021 (4176-00100)	1011	\$300.00	\$12.34
11/25 195 11284536	COS-1021 (4176-00100)	1111	\$500.00	\$11.84
11/25 196 11284536	COS-1021 (4176-00100)	1311	\$200.00	\$11.64
11/28 174 11284536	COS-1021 (4176-00100)	8021	\$40.00	\$11.80
11/30 63 E-REPLENISHMENT		9203	-\$5,500.00	\$17.10

DEC-01-2005 09:42

CONLEY & ROSE PC

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9727312289

P.05

START
BALANCE
\$11,608.00

SUM OF
CHARGES
\$20,000.00

SUM OF END
REPLENISH BALANCE
\$25,500.00 \$17,108.00

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CONLEY ROSE, P.C.
5700 Granite Parkway, Suite 330
Plano, Texas 75024-6616
Telephone Number: (972) 731-2288
Fax Number: (972) 731-2289

PLEASE DELIVER THE FOLLOWING PAGES IMMEDIATELY TO:

NAME: USPTO
Refund Branch

FAX: 571-273-6500

FROM: Karen Harris
Legal Assistant to Michael W. Piper

DATE: December 1, 2005

RE: Refund Request for Deposit Account 501515

Total Number of Pages (Including Cover Page): 5

REMARKS:

**IF YOU DO NOT RECEIVE ALL THE PAGES,
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PTO/SB/26 (09-04)

Approved for use through 07/31/2006, OMB 0651-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**Docket Number (Optional)
4044-00200

In re Application of: David L. Dinwoodie

Application No.: 10/005,808

Filed: December 3, 2001

For: Interactive Remote Auction Bidding System

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The owner, BidCatcher, L.P., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,415,269 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 39,800

Michael W. Piper
Signature

November 2, 2005
Date

11/04/2005 AKELECHI 00000006 501515 10005808
01 FC:2202 125.00 BA
02 FC:2814 65.00 DA

Michael W. Piper
Typed or printed name

972731-2288
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/95 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PAGE 3/36 * RCVD AT 11/2/2005 7:05:51 PM [Eastern Standard Time] * SVR:USPTO-EFXXF-6/27 * DNIS:2738300 * CSID:9727312289 * DURATION (mm:ss):09:32

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11/04/2005 AKELECHI 00000027 501515 10005808
01 FC:2202 125.00 BR

Adjustment date: 12/30/2005 EEKURAY1
11/04/2005 AKELECHI 00000027 501515 10005808
02 FC:2814 65.00 CR